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16
17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19

20 ABRAHAM GARCIA, individually, on
21 behalf of himself and others similarly
22 situated,

23 Plaintiff,

24 vs.

25 TESLA MOTORS, INC., DBA TESLA,
26 INC. (FORM UNKNOWN) AND
27 DOES 1 TO 50,

28 Defendant.

Case No. 2:25-CV-00302-FLA-JPR

**JOINT STIPULATION TO
VOLUNTARILY DISMISS
WITHOUT PREJUDICE
PLAINTIFF'S FIRST THROUGH
THIRTEENTH CAUSES OF
ACTION AND TO REMAND
PLAINTIFF'S FOURTEENTH
CAUSE OF ACTION**

Complaint served: December 11, 2024
Removal filed: January 10, 2025

1
2 **TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL**
3 **DISTRICT OF CALIFORNIA:**

4 Plaintiff Abraham Garcia (“Plaintiff”) and Defendant Tesla, Inc., formerly
5 known as Tesla Motors, Inc. (“Defendant”) (together, the “Parties”), by and through
6 their respective counsel of record, hereby stipulate as follows:

7 WHEREAS, on August 6, 2024, Plaintiff filed a class action complaint in the
8 Superior Court of the State of California, County of Los Angeles, entitled *Abraham*
9 *Garcia v. Tesla Motors, Inc., dba Tesla, Inc.*, Case No. 24STCV19700 [ECF 1-3];

10 WHEREAS, on October 10, 2024, Plaintiff filed the operative First Amended
11 Class Action & PAGA Complaint (the “FAC”) [ECF 1-4];

12 WHEREAS, on January 10, 2025, Defendant timely removed the action to the
13 Central District of California pursuant to the Class Action Fairness Act (“CAFA”)
14 [ECF 1];

15 WHEREAS, on February 18, 2025, Defendant filed the Notice of Motion and
16 Motion to Compel Arbitration of Plaintiff’s Individual Claims, Dismiss Class
17 Claims, and Stay Non-Individual PAGA Claims (“Motion to Compel Arbitration”)
18 [ECF 10], which the Court took under submission on April 24, 2025 [ECF 29];

19 WHEREAS, on May 22, 2025, the Court issued an Order to Show Cause Why
20 Action Should Not Be Remanded for Lack of Subject Matter Jurisdiction under the
21 CAFA (“OSC”), and encouraged the parties to submit responses by June 5, 2025
22 [ECF 30];

23 WHEREAS, the Parties met and conferred regarding the OSC and have agreed
24 to the following: (1) Plaintiff agrees to voluntarily dismiss without prejudice all
25 causes of action in the FAC other than the Fourteenth Cause of Action, which is a
26 PAGA claim, (2) the Parties agree that in exchange for such voluntary dismissal, the
27 remaining Fourteenth Cause of Action under PAGA will be remanded to the Los
28 Angeles County Superior Court, where the FAC was originally filed, and (3) the

1 Parties agree any response to the OSC is mooted by the agreement to voluntary
2 dismiss without prejudice all causes of action in the FAC other than the Fourteenth
3 Cause of Action and remand the remaining Fourteenth Cause of Action under PAGA
4 to state court;

5 NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through
6 their respective counsel of record as follows:

7 1. Plaintiff voluntarily dismisses without prejudice pursuant to Federal
8 Rule of Civil Procedure 41(a)(1)(A)(ii) all causes of action in the FAC other than the
9 Fourteenth Cause of Action pursuant to PAGA;

10 2. Upon the above dismissal of Plaintiff's First through Thirteenth Causes
11 of Action, the Parties request that this Court remand the remaining Fourteenth Cause
12 of Action under PAGA to the Los Angeles County Superior Court, where the FAC
13 was originally filed;

14 IT IS SO STIPULATED.

15 Dated: June 4, 2025

JOSE GARAY, APLC

16 By 
17 Jose Garay

18 THE WHEELER LAW FIRM, APC
19 Scott Ernest Wheeler

20 Attorneys for Plaintiff
21 Abraham Garcia

22 Dated: June 4, 2025

23 MORGAN, LEWIS & BOCKIUS LLP

24 By 
25 Daniel R. Rodriguez
26 John Battenfeld
27 Attorney for Defendant
28 TESLA, INC.

1
2 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-4.3.4(a)(2)(i)**

3 Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), the filer of this document attests
4 that all other signatories listed, and on whose behalf the filing is submitted, concur
5 in the filing's content and have authorized the filing.

6 Dated: June 4, 2025

7 MORGAN, LEWIS & BOCKIUS LLP

8 By

9 
10 Daniel R. Rodriguez
11 John S. Battenfeld
12 Attorneys for Defendant
13 TESLA, INC.